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REMARKS

As a preliminary matter, Applicants thank the Examiner for allowing claims 11-18. In the Office Action: (1) claims 11-18 were allowed; (2) claims 4-6 and 8-10 were objected to as being dependent upon a rejected base claim but indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims; (3) and claims 2, 3, and 7 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,327,274 to Ravikanth (hereinafter "Ravikanth").

Claims 12 and 18 have been amended solely to correct typographical omissions. Claims 2-18 are presently pending in this application. Applicants respectfully submit that the presently pending claims are in condition for allowance for the reasons discussed below.

Objection to Claims 4-6 and 8-10

On page 3 of the Office Action, the Examiner objected to claims 4-6 and 8-10 as being dependent upon a rejected base claim. The Examiner further indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have not amended claims 4-6 or 8-10 at this time because the base claim (independent claim 2) for claims 4-6 and 8-10 is believed to be in condition for allowance for the reasons discussed below.

Rejection of Claims 2, 3, and 7 under 35 U.S.C. §102(e)

The Examiner rejected claims 2, 3, and 7 under 35 U.S.C. §102(e) as being anticipated by Ravikanth (Office Action, pages 2-3). "A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. Applicants respectfully submit that Ravikanth does not disclose every claim limitation recited in claims 2, 3, and 7.

A. Independent Claim 2

In rejecting claim 2, the Examiner asserts that Ravikanth discloses the claim limitation of "adjusting said clock-stamped reference values based on said estimated network system

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jitter" (page 3 of the Office Action). Applicants respectfully disagree with the Examiner's assertion because Ravikanth is directed only to estimating skew between clocks of different network devices (Abstract and col. 3, lines 63-65 of Ravikanth) and does not in any way disclose the claim limitation of adjusting the clock-stamp reference values based on estimated network system jitter, especially when this claim limitation is considered in the context of the entire claim. The only disclosed use of packet time-stamps in Ravikanth is for calculating clock skew in a clock skew measurement scheme (col. 3, line 63 to col. 4, line 11; col. 6, lines 58-65). No further use of packet time-stamps is disclosed in Ravikanth, and Ravikanth therefore fails to disclose the claim limitation of adjusting clock-stamped reference values based on estimated network jitter.

Inasmuch as the Examiner relies on col. 4, lines 53-56 of Ravikanth to reject claim 2, Applicants point out that the correcting of offsets between clocks of different devices by using systems based on Network Time Protocol (NTP) or Global Positioning System (GPS) to synchronize the clocks does not in any way disclose the claim limitation of adjusting clock-stamped reference values based on estimated network jitter. Clock synchronization using NTP or GPS to correct clock offset involves actual adjustments of a device's clock. For example, a clock of a client computer is adjusted to synchronize it with a clock of an NTP server. Such an actual adjustment of a device's clock does not disclose the claim limitation of adjusting clock-stamped reference values based on estimated network jitter, especially when this claim limitation is considered in the context of the entire claim. Thus, Applicants respectfully submit that Ravikanth fails to anticipate claim 2 and request that the Examiner withdraw this rejection. Accordingly, Applicants believe that claim 2 and its dependent claims (claims 3-9) are in condition for allowance.

B. Claims 3 and 7

Claims 3 and 7 are allowable as claims depending from independent claim 2. Nevertheless, claims 3 and 7 independently recite patentable subject matter. For example, claims 3 and 7 each recite the claim limitation of "adjusting said clock-stamped reference value of said subsequent reference data packet based on said estimated jitter value associated with said subsequent reference data packet." Ravikanth fails to disclose this claim limitation for at least the same reasons discussed above in relation to independent claim 2. Therefore,

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Applicants respectfully request that the Examiner withdraw the rejection of claims 3 and 7, which are also in condition for allowance.


CONCLUSION

All objections and rejections have been addressed. In view of the above, the presently pending claims are believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. It is believed that any fees associated with the filing of this paper are identified in an accompanying transmittal. However, if any additional fees are required, they may be charged to Deposit Account 07-2347. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136(a) is hereby made, the fee for which should be charged against the aforementioned account.

Respectfully submitted,

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